

REMARKS

The Examiner objected to the specification as failing to provide proper antecedent basis for the subject matter claimed in claims 32 – 34 and 39 – 41. Applicant has canceled claims 32 – 34 and 39 – 41. Thus, the Examiner’s objection to the specification is now moot.

The Examiner objected to claim 46 for failing to further limit the subject matter of a previous claim. Applicant has canceled claim 46. Thus, the Examiner’s objection to claim 46 is now moot.

The Examiner rejected claims 32 – 34 and 39 – 41 under 35 U.S.C. 112, first paragraph. As discussed above, Applicant has canceled claims 32 – 34 and 39 – 41. Thus, the Examiner’s rejection is now moot.

The Examiner rejected claims 7, 8, 22, 23, 27, 31, 35 and 36 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended claims 7, 8, 22, 23, 27, 31, 35 and 36, as well as claims 5, 20, 38, 42, and 43, so that they expressly state “HT switch” as opposed to “switch”.

The Examiner rejected claims 32, 33, 39, and 40 under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps. Applicant has canceled claims 32, 33, 39, and 40. Thus, the Examiner’s rejection is now moot.

The Examiner rejected claims 1, 2, 4 – 14, 16, 17, 19 – 31, 35 – 38, 42 – 46 and 48 – 50 under 35 U.S.C. 103(a) as being unpatentable over PCI-to-PCI Bridge Architecture Specification (“PCI-to-PCI Bridge”) in view of Applicant Admitted Prior Art (“AAPA”). In that regard the Examiner stated:

“PCI-to-PCI Bridge does not expressly teach said first and second switches are HT switches. AAPA discloses a HyperTransport (‘HT’) I/O interconnect structure . . . wherein an HT switch handles multiple HT I/O data streams and managing the interconnection between attached HT I/O devices in said HT I/O interconnect structure

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have applied said HT switch, as disclosed by AAPA, for said first and second switches, as disclosed by PCI-to-PCI Bridge, for the advantage of providing a significant increase in transaction throughput over existing I/O bus architectures such as PCI and AGP”

Applicant does not believe that the Examiner has presented a proper basis for combining PCI-to-PCI Bridge with AAPA. As the Examiner is aware, Section 706.02(j) of the MPEP states that one of the requirements for a *prima facie* case of obviousness is “there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify or combine reference teachings.” The Examiner stated that the motivation to combine PCI-to-PCI Bridge with AAPA is for “the advantage of providing a significant increase in transaction throughput . . .” Applicant submits that the Examiner’s stated standard for combining unrelated references, namely to create an advantage, does not comply with MPEP 706.02(j).

The Applicant does not understand if the Examiner alleges that PCI-to-PCI Bridge provides a motivation to combine PCI-to-PCI Bridge with AAPA or if the Examiner alleges that the knowledge generally available to one of ordinary skill in the art would provide the motivation to combine.

Regarding whether the PCI-to-PCI Bridge provides a motivation to combine PCI-to-PCI Bridge with AAPA, the Applicant does not believe that PCI-to-PCI Bridge provides any such motivation. If the Examiner is aware of any statement within PCI-to-PCI Bridge that indicates that the method for generating configuration tables described in PCI-to-PCI Bridge could be utilized with non-PCI busses, non-PCI devices, and non-PCI bridges, the Applicant requests that Examiner provide Applicant with that statement.

Regarding whether the knowledge generally available to one of ordinary skill in the art provides a motivation to combine PCI-to-PCI Bridge with AAPA, the Applicant is not aware of any such knowledge. If the Examiner is aware of any such knowledge, the Applicant requests that the Examiner indicate the source of the knowledge so that Applicant can provide a proper response.

The Examiner rejected claims 3 and 18 under 35 U.S.C. 103(a) as being unpatentable over PCI-to-PCI Bridge, in view of AAPA, and further in view of U.S. Patent No. 6,584,586 to McCoy. After characterizing McCoy, the Examiner stated:

“Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said CTC device, as disclosed by McCoy, in said computer system as disclosed by PCI-to-PCI Bridge, as modified by AAPA, for the advantage of . . .”

Once again, Applicant does not believe that the Examiner has presented a proper basis for combining PCI-to-PCI Bridge with AAPA and with McCoy. The Examiner stated that the motivation to combine PCI-to-PCI Bridge with McCoy is “for the advantage of . . .” Applicants submit that the Examiner’s stated standard for combining unrelated references, namely for the advantage, does not comply with MPEP 706.02(j). Section 706.02(j) of the MPEP states that one of the requirements for a *prima facie* case of obviousness is “there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify or combine reference teachings.”

The Applicant does not understand if the Examiner alleges that PCI-to-PCI Bridge provides a motivation to combine PCI-to-PCI Bridge with McCoy or if the Examiner alleges that the knowledge generally available to one of ordinary skill in the art would provide the motivation to combine.

Regarding whether the PCI-to-PCI Bridge provides a motivation to combine PCI-to-PCI Bridge with McCoy, the Applicant does not believe that PCI-to-PCI Bridge provides any such motivation. If the Examiner is aware of any statement within PCI-to-PCI Bridge that indicates that the method for generating configuration tables described in PCI-to-PCI Bridge could be utilized with non-PCI busses, non-PCI devices, non-PCI bridges, and HT configuration instructions, the Applicant requests that Examiner provide Applicant with that statement.

Regarding whether the knowledge generally available to one of ordinary skill in the art provides a motivation to combine PCI-to-PCI Bridge with McCoy, the Applicant is not aware of any such knowledge. If the Examiner is aware of any such knowledge, the Applicant requests that the Examiner indicate the source of the knowledge so that Applicant can provide a proper response.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By



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